1 P. Russell Perdew (pro hac vice) J. Matthew Goodin (pro hac vice) 2 LOCKE LORD LLP 111 South Wacker Drive 3 Chicago, Illinois 60606 Telephone: (312) 443-0700 4 Attorneys for Defendant Old Republic National 5 Title Insurance Company (sued herein through 6 its unincorporated division Old Republic Default Management Services) 7 8 UNITED STATES DISTRICT COURT 9 DISTRICT OF NEVADA 10 ALETA ROSE GOODWIN, et al., 11 CASE NO: 3:09-CV-00306-ECR-PAL Plaintiffs, 12 **DEFENDANT OLD REPUBLIC'S** VS. Locke Lord LLP 1111 South Wacker Drive Chicago, Illinois 60606 13 MOTION TO REFLECT ITS TERMINATION FROM THIS CASE EXECUTIVE TRUSTEE SERVICES, LLC, et al., 14 15 Defendants. 16 17 Defendant Old Republic National Title Insurance Company (sued herein through its unincorporated division Old Republic Default Management Services) respectfully moves this Court 18 to direct the Clerk to update this case's online docket to reflect Old Republic's termination from this 19 20 case. 21 Plaintiffs' Second Amended Class Action Complaint asserted three claims against Old Republic: unjust enrichment (Count II), wrongful foreclosure (Count III), and slander of title (Count 22 IV). [Doc. No. 443]. Each of these claims were transferred to the District of Arizona and assigned 23 24 to Judge James A. Teilborg in case number 09-2119-JAT. [See MDL Transfer Order, Doc. No. 25 412]. Judge Teilborg subsequently remanded some claims back to this Court, but did not remand Counts II, III, or IV asserted against Old Republic. Accordingly, no claims against Old Republic 26 27 were remanded to this Court. 28

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In the MDL, Plaintiffs' Consolidated Amended Master Complaint asserted only two claims
against Old Republic: violation of N.R.S. § 107.080 (Third Claim for Relief) and slander of title
(Eighth Claim for Relief). [MDL Doc. No. 1424]. Old Republic filed a motion to dismiss these
claims [MDL Doc. No. 1483], which was granted on October 3, 2011 [MDL Doc. No. 1602].
Plaintiffs filed a notice of appeal of the order granting the motion to dismiss [MDL Doc. No. 1630].
The Ninth Circuit Court of Appeals affirmed the order as to all counts except for the First Claim for
Relief. [MDL Doc. No. 1797]. Because the First Claim for Relief was not asserted against Old
Republic [see MDL Doc. No. 1424], there are no claims currently pending against Old Republic in
the MDI

Thus, all claims against Old Republic in the Goodwin case have been dismissed, and that dismissal was affirmed. But this Court's online docket does not yet reflect Old Republic as a terminated party, so Old Republic respectfully asks this Court to direct the Clerk to update this case's online docket to reflect Old Republic's termination from this case.

DATED this 21st day of October, 2014.

Respectfully submitted,

/s/ P. Russell Perdew, Esq.

P. Russell Perdew (pro hac vice) J. Matthew Goodin (pro hac vice)

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Republic Default Management Services)

IT IS SO ORDERED this 5th day of January, 2015.

ROBERT C.